



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/385,802	08/30/1999	KEVIN REMINGTON JOSEPH BARTHOLOMEN DONOVAN	4031/1	9671
28710	7590	03/28/2011	EXAMINER	
PETER K. TRZYNA, ESQ. P O BOX 7131 CHICAGO, IL 60680			CHANKONG, DOHM	
			ART UNIT	PAPER NUMBER
			2452	
			MAIL DATE	DELIVERY MODE
			03/28/2011	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**UNITED STATES DEPARTMENT OF COMMERCE****U.S. Patent and Trademark Office**

Address : COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
09385802 4031/1	8/30/1999	BARTHOLOMEN DONOVAN, KEVIN REMINGTON JOSEPH	

PETER K. TRZYNA, ESQ.  
P O BOX 7131  
CHICAGO, IL 60680

**EXAMINER**

DOHM CHANKONG

ART UNIT	PAPER
2452	11

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

Applicant's amendment and arguments filed on 1/20/2011 are not fully responsive to the Office action mailed on 7/20/2010. Applicant's arguments only address the double patenting rejection and the § 103 rejection under Auerbach, Aravamudan, and Gudjonsson. However, Applicant's arguments do not address the § 112 rejection or the § 103 rejection under Walker and Busey. Both Walker and Busey have a priority date prior to May 5, 1999 so even if Applicant was successful in establishing conception prior to May 5, 1999, it would only overcome the Auerbach, Aravamudan, and Gudjonsson rejection. Therefore, Applicant's arguments are not fully responsive.

NOTE: The Office action erroneously refers to the Walker patent as 5862333. The PTO-892 (list of references cited by examiner) has the correct patent number 5862223.

Applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment.

/DOHM CHANKONG/  
Primary Examiner, Art Unit 2452